



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC 14 1987

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

Honorable Dale Bumpers
United States Senate
Washington, D.C. 20510

Dear Senator Bumpers:

The purpose of this letter is to respond to your letter of November 19, 1987 regarding the Arkwood Inc. Site in Omaha, Arkansas. This site was proposed to the National Priorities List (NPL) on September 15, 1985.

In your letter you requested that the Environmental Protection Agency (EPA) consider the comments that you submitted on behalf of one of your constituents. As mentioned above, this site is currently proposed to the NPL. EPA is reviewing comments on the Arkwood Site, and anticipates announcing a final rulemaking decision regarding the inclusion of this site on the NPL in April 1988.

EPA places sites on the NPL using rulemaking procedures outlined in the Administrative Procedures Act. The Agency proposes sites to the NPL that are believed to meet both the technical requirements of the Hazard Ranking System (HRS) and the eligibility requirements of the NPL. The HRS is the technical evaluation model which considers hazards to public health and the environment which are associated with three contaminant migration pathways: ground water, surface water, and air. The HRS was designed to provide a consistent and objective evaluation of sites across the nation.

Site proposals are announced in the Federal Register, and are typically followed by a 60-day formal public comment period. The comment period for this site ended on November 18, 1985. The comment period affords all interested parties the opportunity to provide the Agency with information regarding a site. EPA considers and addresses all comments received during the formal comment period and, to the extent practicable, the Agency considers late comments. EPA considers comments to be a valuable source of information.

Because the development of the NPL is a rulemaking process, EPA cannot discuss specific comments received regarding the Arkwood Site or the effect that those comments may have on the HRS score for the site prior to final rulemaking. EPA will address all

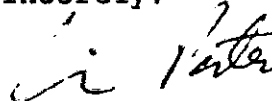
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comments in a document called the Support Document which will be available to the public at the time the final rule is signed by the Assistant Administrator. The Support Document provides the Agency's rationale for final listing decisions.

EPA has already received numerous comments regarding the Arkwood Site, and I can assure you that the Agency will carefully review these comments before making a final decision whether or not to add this site to the final NPL. Your letter of November 19, 1987, with attached comments from your constituent, will be included in the public docket, and to the extent practicable, will be considered.

I hope that this discussion will help you and your constituent to understand the NPL rulemaking process, and how that process applies to the Arkwood Site. Thank you very much for your interest, and please contact me if I can be of additional assistance.

Sincerely,



J. Winston Porter
Assistant Administrator